

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JULY 25, 2002**

The Fauquier County Planning Commission held its regular meeting on Thursday, July 25, 2002, beginning at 3:00 P.M. in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Bob Sinclair and Mr. Jim Stone. Also present at the meeting were Mrs. Elizabeth Cook, Mrs. Carolyn Bowen, Ms. Holly Meade, Ms. Deirdre Clark, and Mrs. Paulette Dolan, Clerk.

1. **APPROVAL OF MINUTES - MAY 30, 2002 and JUNE 27, 2002.**

On motion made by Mr. Robison and seconded by Mr. Guerra, it was moved to approve the minutes of May 30, 2002 and June 27, 2002 as amended. The motion carried unanimously.

2. **RECONSIDER THE SCHEDULING OF THE BEALETON, OPAL AND REMINGTON AMENDMENT PUBLIC HEARING.**

Mr. Robison made a motion to clarify our previous decision to hold a public hearing on July 25, 2002. Mr. Guerra seconded. The motion carried unanimously.

3. **SPECIAL EXCEPTION (SE02-L-27) - D.C. DIAMOND CORPORATION,**

OWNER/APPLICANT - applicant wishes to obtain special exception approval under Category 23 of the Zoning Ordinance, which would allow for grading and construction of a road in the floodplain. The property contains 85.84 acres, is zoned Rural Agriculture (RA), and is located on the southwest side of Catlett Road (Route 28), Lee District. (PIN #6889-31-7311-000) (Postponed May 30, 2002, until July 25, 2002, at the request of the applicant.)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached and made a part of these official minutes.

On motion made by Mr. Guerra and seconded by Mr. Stone, it was moved to postpone this special exception at the request of the applicant until the September meeting. The motion carried unanimously.

4. **COMPREHENSIVE PLAN AMENDMENT (#CPA02-L-05) AND REZONING REQUEST (#RZ02-L-06) - MARGARET L. DYSON, OWNER/APPLICANT** - applicant wishes to obtain a

Comprehensive Plan Amendment which would change the future designation of the subject property from Commercial to Residential. The applicant also wishes to rezone approximately 16.0455 acres from Commercial-Neighborhood (C-1) to Residential-1 (R-1). The property is located at the intersection of Courtney's Corner Road (Route 634) and Brooks Store Drive (Route 632) in the Village of Morrisville, Lee District. (PIN #7816-26-1092-000) (Postponed June 27, 2002, until July 25, 2002, at the request of the applicant.)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached and made a part of these official minutes. She stated that the applicant has requested a 30-day postponement to work with staff on the outstanding issues.

On motion by Mr. Guerra and seconded by Mr. Robison, it was moved to postpone the Comprehensive Plan amendment and Rezoning Request until the August meeting, at the request of the applicant. The motion carried unanimously.

5. **PRELIMINARY PLATS**

- a. **#PP02-C-04 - Academy Hill Development, LLC, owner/applicant** - applicant wishes to subdivide 87.808 acres into sixty-one (61) lots. The property is zoned Residential-1 (R-1), and is located on the south side of Academy Hill Road (Route 678) east of its intersection with Millfield Drive, Center District. (PIN #6984-93-2775-000 and #6984-83-4176-000) (Postponed June 27, 2002, until July 25, 2002, at the request of the applicant.)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached and made an official part of these minutes. She stated the applicant had requested an indefinite postponement, staff realizing how the Planning Commission feels about indefinite postponements would request a 90 day deferral.

On motion by Mr. Robison and seconded by Mr. Guerra it was moved to postpone the request for 90 days, at the request of the applicant. The motion carried unanimously.

- b. **#PP02-CR-10 - Amos L. & Jane E. Shipe, owners/applicants - Shipe's Ridge** - applicants wish to obtain preliminary plat approval to divide approximately 150.5 acres into three (3) lots, with future development of an additional three (3) lots. The property is zoned Rural Agriculture (RA), and is located on the southeast side of Elk Run Road (Route 806), Cedar Run District. (PIN #7827-04-3142-000) (Postponed June 27, 2002, until July 25, 2002, for further review.)

Mrs. Clark reviewed her staff memorandum, a copy of which is attached to and made a part of these official minutes.

On motion made by Mr. Stone and seconded by Mr. Robison, it was moved to approve the preliminary plat subject to the following conditions:

1. The final plat shall be in general conformance with the preliminary subdivision plat entitled "Shipe's Ridge, Lots 1, 2, 3, 4, 5, 6, & 7 Preliminary Plan" dated July 11, 2002 and received in the Planning Office on June 11, 2001.
2. Prior to final plat and construction plan approval, the applicant shall submit a detailed landscape plan as required pursuant to Section 7-600 of the Zoning Ordinance.
3. A Virginia Certified Professional Soil Scientist (CPSS) shall adjust the preliminary soil map lines (with revision) onto the final drainfield plat. This shall be done in the field and checked for any additional soil information to be added to the final scale plat map.
4. Interpretive information from the County Interpretive Guide for each mapping unit shown on the above plat shall be placed on the same soil map. Also, a Symbols Legend shall be placed on the plat map to identify spot symbols.
5. A signature block shall be placed on this plat for the CPSS to sign which states:

6. The following statements shall be placed on the same plat map:

- a. "The County recommends that no below grade basements be constructed on soil mapping units 10B, 13B, 313B&C, 416C and 434B due to wetness unless the foundation drainage system of the structure is designed by a Virginia Professional Engineer."
- b. "The County recommends that before road or home construction begins in the soil mapping unit 33C a site specific evaluation be conducted so that shallow to bedrock areas are identified. These areas may require blasting if deep cuts or excavation is done."
- c. "Before a home is started, the builder shall mark the drainfield area off and not disturb it during construction."

7. The shared driveway aprons shall be designed and paved to Virginia Department of Transportation (VDOT) standards and appropriate bonding shall be posted as required by the County and/or VDOT.

8. No additional driveway locations shall be permitted along Elk Run Road.

The motion carried unanimously.

- c. **#PP02-S-13 - Lillie E. Smith Estate, owner, and Robert H. Rogers, III, applicant - Smithridge Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 16.7 acres into fourteen (14) lots. The property is zoned Residential-1 (R-1), and is located on the southeast side of Routes 15/29, Lee District. (PIN #6888-32-5186-000) (Postponed June 27, 2002, until July 25, 2002, at the request of the applicant.)

Ms. Clark reviewed her staff memorandum, a copy of which is attached and made part of these official minutes.

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to postpone the request for an additional 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

- d. **#PP02-S-17 - Robert R. Oliver, Trustee & Others, owner, and Doug Nyce, contract owner - Wooded Run Estates** - applicant wishes to obtain preliminary plat approval to subdivide approximately 89.3 acres into fifty-seven (57) lots. The property is zoned Residential-1 (R-1), and is located on the southeast side of Busthead Road (Route 694), Scott District. (PIN #6996-74-7410-000) (Postponed June 27, 2002, until July 25, 2002, for further review.)

Ms. Clark reviewed her staff memorandum, a copy of which is attached and made part of these official minutes.

On motion made by Mr. Sinclair and seconded by Mr. Stone, it was moved to postpone the request for 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

- e. **#PP02-M-15 - Arlington Builders, Inc., owner/applicant** - applicant wishes to obtain preliminary plat approval to subdivide approximately 2.0 acres into two (2) lots. The property is zoned Village Residential (V), and is located on the northwest side of Springs Road (Route 802), Marshall District. (PIN #6962-45-4428-000) (Postponed June 27, 2002, until July 25, 2002, for further review.)

Ms. Clark reviewed her staff memorandum, a copy of which is attached and made part of these official minutes.

On motion made by Mrs. McCarty and seconded by Mr. Robison, it was moved to postpone the request for 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

- f. **#PP02-L-16 - Melvin E. Bailey, Jr. & Rocky D. Bailey, owners, and Robert H. Rogers, III, applicant - Riverton Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 65.5 acres into seventy-one (71) lots. The property is zoned Residential-2 (R-2), and is located on the northwest side of Lucky Hill Road (Route 655), Lee District. (PIN #6887-37-4241-000) (Postponed June 27, 2002, until July 25, 2002, for further review.)

Ms. Clark reviewed her staff memorandum, a copy of which is attached and made part of these official minutes.

On motion made by Mr. Guerra and seconded by Mrs. McCarty, it was moved to postpone the request for 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

- g. **#PP02-S-12 - Llewellyn J. Evans, Jr., owner and Airlie Estates, LLC, applicant - Airlie Estates** - applicant wishes to obtain preliminary plat approval to subdivide approximately 47.56 acres into twenty-four (24) lots. The property is zoned Residential -1 (R-1), and is located on the northeast side of Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and 6995-15-2925-000)

Ms. Cook reviewed her staff memorandum, a copy of which is attached and made part of these official minutes.

On motion made by Mr. Sinclair and seconded by Mrs. McCarty, it was moved to postpone the request for 60 days, at the request of the applicant.

The motion carried unanimously.

- h. **#PP02-C-20 - Carlton Moorefield, owner, and Premier Homebuilders, Inc., applicant - Cedar Mill Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 31.92 acres into nineteen (19) lots. The property is zoned Residential-1 (R-1), and is located on Frytown Road, Center District. (PIN's #6994-36-3798-000, #6994-37-3260-000 and #6994-36-5406-000)

Mrs. Clark reviewed her staff report, a copy of which is attached and made a part of these official minutes.

On motion made by Mr. Robison and seconded by Mr. Sinclair it was moved to postpone the request for 30 days until the August meeting.

Mrs. McCarty questioned if this postponement was at the applicant's request. Mr. Robison stated no. Mr. Guerra made the comment that they would have to act on it the next time. Mr. Robison said yes, unless they request further postponement.

The motion carried unanimously.

- i. **#PP02-L-22 - Harold & Gloria Comer, owners/applicants - McConchie Acres** - applicant wish to obtain preliminary plat approval to subdivide approximately 15.9372 acres into six (6) lots. The property is zoned Village (V), and is located on Sumerduck Road (Route 651), Lee District. (PIN #7804-58-0975-000)

Ms. Clark reviewed her staff report, a copy of which is attached and made a part of these official minutes.

On motion made by Mr. Guerra and seconded by Mr. Robison it was moved to postpone the request for 30 days until the August meeting, at the applicant's request.

The motion carried unanimously.

- j. **#PP02-C-23 - Leland Road Investments, LLC, owner, and Stan Settle/Pulte Homes, applicant - White's Mill** - applicant wishes to obtain preliminary plat approval to subdivide approximately 151 acres into 161 lots. The property is zoned Residential-4 (R-4) and Residential-1 (R-1), and is located on the south side of Route 29 and the north side of Academy Road, Center District. (PIN's #6984-85-3804-000, #6984-96-1546-000 and #6984-78-0388-000)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached and made a part of these official minutes.

On motion made by Mr. Robison and seconded by Mrs. McCarty it was moved to postpone the request for 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

- k. **#PPR02-S-03 - Brookside Communities, LLC, and Brookside Development, LLC, owners/applicants - Brookside** - applicant wishes to obtain a preliminary plat revision to modify the lot and road layout in portions of the development, and revise size/location of stormwater management facilities, rearrange lots and open space areas of an approved plan. The property is zoned Residential-1 (Cluster) (R-1) and PRD, and is located on Riley (Route 676), Scott District. (PIN's #7905-93-5747-000, #7915-16-2290-000, #7915-06-7362-000, #7915-34-4195-000, #7915,35-2459-000, #7915-22-4253-000, #7915-22-0001-000, #7915-11-7109-000, #7915-20-3117-000, #7905-63-8907-000, #7905-82-5007-000, #7915-29-7852-000, #7914-39-3654-000, #7905-53-4817-000, #7905-54-1314-000 and #7915-20-4957-000)

Mr. Robison stated that the applicant has deferred this request until the August meeting.

6. **WAIVER OF SECTION 4-11(1)(A) OF THE SUBDIVISION ORDINANCE REQUIREMENT FOR A CENTRAL WATER SYSTEM - RIDGE PLACE SUBDIVISION - O. WILLIAM GROVES, OWNER** (Postponed June 27, 2002, until July 25, 2002, at the request of the applicant.)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached and made a part of these official minutes.

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to postpone action for an additional 30 days until the August meeting, at the request of the applicant.

The motion carried unanimously.

7. **INITIATION OF PROPOSED SUBDIVISION AND ZONING ORDINANCE TEXT AMENDMENTS**

- a. Initiation of Subdivision Ordinance Text Amendment to update the Virginia Code References, numbering inconsistencies, and other clarifications. (Postponed June 27, 2002, until July 25, 2002, for further review.)
- b. Initiation of Subdivision Ordinance Text Amendments to Section 5 - General Standards of Design, Section 6 - Street Classifications, Section 7 - Minimum Street Improvements Required, Section 8 - Special Area Requirements for Use of Street Standards and Section 17 - Geometric Design Specifications to update the street, sidewalk and trail design, construction standards, specifications and requirements. (Postponed June 27, 2002, until July 25, 2002, for further review.)
- c. Initiation of Subdivision Ordinance Text Amendments to Section 9 - Preliminary Plats and Section 10 - Final Plats to address the processing of constructions plans, profiles, and specifications through the Technical Review Committee. (Postponed June 27, 2002, until July 25, 2002, for further review.)
- d. Initiation of Zoning Ordinance Text Amendment to Section 3-306.7, 5-606 and 4-706 concerning continuing care facilities.
- e. Initiation of Zoning Ordinance Text Amendment to Section 13-111.3 regarding the posting of property.

Mrs. Cook reviewed her staff memorandum, a copy of which is attached to and made part of these official minutes. Mrs. Cook further explained that due to staffing issues a postponement until the September meeting is requested for items a, b and c. At that time a work session could possibly be scheduled to discuss some philosophical issues relating to road improvements, cul-de-sac lengths and a variety of road related issues.

On motion made by Mr. Robison and seconded by Mrs. McCarty it was moved to postpone items 7 a, b, and c for 60 days.

The motion carried unanimously.

Mrs. Bowen reviewed her staff report for item 7d, a copy of which is attached to and made part of these official minutes.

On motion made by Mr. Robison and seconded by Mrs. McCarty it was moved to schedule item 7d for a work session in August and for public hearing in September.

The motion carried unanimously.

Mrs. Bowen reviewed her staff report for item 7e, a copy of which is attached to and made part of these official minutes.

On motion by Mr. Robison and seconded by Mr. Sinclair it was moved to schedule item 7e for a work session in August and for public hearing in September.

The motion carried unanimously.

8. **BOARD OF ZONING APPEALS AGENDA**

- a. **Review of Minutes of the July 11, 2002 Meeting.**
- b. **Special Permit - Heidi DeConde, owner & Tony Horkan, contract owner** - applicant is requesting special permit approval to amend the conditions of a special permit issued October 3, 1991 for an indoor technical school (martial arts studio). The applicant/contract owner wishes to amend the conditions of the special permit by expanding the school to both floors of the structure, expand the maximum class size from 30 to 50, expand the hours of operation to 9 a.m. until 9 p.m. and permit classes to be held Monday through Saturday. The subject property contains approximately 0.052 acres, located at 9151 John S. Mosby Highway, Marshall Magisterial District, Upperville, Virginia.
- c. **Hearing on Appeal – Roy L. and Lou Anne Boatwright** – Mr. And Mrs. Boatwright have filed and appeal to a decision made by the Zoning Administrator requesting the Board of Zoning Appeals revoke special permit #44505 issued to them for the operation of a bulk mulch, storage and wholesale business and the location of a truck and heavy equipment sales, rental and service business on property located at 5391 Telephone Road, New Baltimore, Scott District.
- d. **Special Permit - Lionel & Anna M. Collins, owners** - applicants are requesting a special permit to locate a small contracting business (landscaping) on the site. The subject property is identified as PIN #7815-81-1279, containing approximately 5.68 acres, located at 13740 Ash Lane, Lee Magisterial District, Sumerduck, Virginia.
- e. **Special Permit - Michael R. & Rachel M. Pierce, owners** - applicants are requesting a variance to a front yard setback requirement for a deck and aboveground pool. The deck and pool will be 39' 10.8" from the centerline of Mosby Drive, wherein the Zoning Ordinance requires 50'. The subject property is identified as PIN #6995-02-9814, containing approximately 0.231 acres, located at 7267 Chestnut Court, Center Magisterial District, Warrenton, Virginia.
- f. **Variance - Desyd LC, owner & Nicholas Sweeney, lessee** - applicants are requesting a special permit to locate an indoor technical school (cheerleading/tumbling training

center) on the site. The subject property is identified as PIN#6983-88-6090, containing approximately 2.097 acres, located on Old Meetze Road, Cedar Run Magisterial District, Warrenton, Virginia.

- g. **Special Permit - Roy & Lou Anne Boatwright, owners & Henry Merkli, applicant** - applicants are requesting renewal of two special permits for the continuation of two uses, a general industrial use for bulk mulch storage and wholesale and the continuation of a truck and heavy equipment sales, rental and service on property located at 5391 Telephone Road, Scott Magisterial District, Warrenton, Virginia.

Mr. Robison asked if there were any comments before staff forwards them onto the Board of Zoning Appeals.

No comments were stated.

There being no further business, the meeting was adjourned to a work session on the 4th floor at 3:25 p.m.

The Fauquier County Planning Commission reconvened its regular meeting on Thursday, July 25, 2002, beginning at 7:00 P.M. in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Bob Sinclair and Mr. Jim Stone. Also present at the meeting were Mrs. Elizabeth Cook, Ms. Holly Meade, Mr. Richard Calderon and Mrs. Paulette Dolan, Clerk.

Mr. Robison stated DC Diamond and the Tharpe Rezonings have been postponed.

9. **PLEDGE OF ALLEGIANCE**

Mr. Robison led the Commission and Citizens in the Pledge of Allegiance.

10. **CITIZENS**

No one spoke.

11. **ZONING ORDINANCE AND SUBDIVISION ORDINANCE TEXT AMENDMENTS**

- a. Zoning Ordinance Text Amendment to Section 3-404 to change the measurement of the setback from the required front yard for certain designated roads.

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to recommend approval of the Zoning Ordinance Text Amendment.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Section 3-314.10 which would permit farm equipment sales, rental and service in the Rural Residential-2 (RR-2) zoning district with special permit approval from the Board of Zoning Appeals and an approved site plan.

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to recommend approval of the Zoning Ordinance Text Amendment.

The motion carried unanimously.

- c. Zoning Ordinance Text Amendment to Section 5-205.5 (Additional Standards for Auto Repair Garages) which would amend the standards for auto repair garages under Category 2 (Residential Business) with special permit approval from the Board of Zoning Appeals.

Ms. Holly Meade reviewed the staff report, a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to recommend the denial of the Zoning Ordinance Text Amendment.

Mr. Sinclair stated that he supports Mr. Robison's motion, and wanted the Commissioners to recall that at the work session there certainly surfaced an inherent fear in the minds of all Commissioners as they viewed this as opening a virtual Pandora's Box of possibilities of what could conceivably happen throughout the County.

Ms. McCarty stated she also disagrees with the proposed amendment and thinks it would be obtrusive and with a special permit these automobiles would be allowed in a rural areas and in the villages and that would be just too obtrusive.

Mr. Stone stated that he sees the potential increase in size of operations to be an invitation to open them up and proliferate and as, we all know, as much as people like to be observant of their neighbors sensibilities, the temptation is to have too many vehicles around these places. Whatever screening measures are applied are ineffective and he does not see a need for this in the County right now.

The motion carried unanimously.

- d. Subdivision Ordinance Text Amendments to update the ordinance to reflect the proposed Stormwater Management Ordinance.

Ms. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to recommend approval of the Subdivision Ordinance Text Amendments.

The motion carried unanimously.

- e. Subdivision Ordinance Text Amendment to Section 9-4, Application Review, would amend the provision for submission to correct deficiencies within 23 days before the Planning Commission meeting to 40 days.

Ms. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Sinclair and seconded by Ms. McCarty, it was moved to recommend approval of the Subdivision Ordinance Text Amendment.

The motion carried unanimously.

12. **BEALETON, OPAL, AND REMINGTON AMENDMENT TO THE COMPREHENSIVE PLAN**

Mr. Robison stated that he spoke with Supervisor McCamy regarding this proposed amendment to the Comprehensive Plan. There was a question of whether or not the Commission had to make a decision before a certain date before it would be deemed approved by the Planning Commission. Mr. Robison advised that Supervisor McCamy said she did not have a problem with the Commission holding off on its decision until the August meeting and with that the Planning Commission has scheduled a work session on this Comprehensive Plan Amendment on August 27, 2002 at 10:00 a.m.

Mr. Guerra asked for clarification on location of work session. It was noted that the work session will be held at the Warrenton Town Police Community Room in its new office building on Carriage House Lane.

Mr. Calderon reviewed his staff report, a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

Mr. John Meadows, 6227 Liberty Road, Bealeton, Co-Chairman of the Bealeton, Opal & Remington Citizen Planning Committee. Mr. Meadows thanked the staff for its hard work, at times working even harder than the members of the committee. The plan before the Commission took 25 people and 25 months to create. He stated the Committee is very pleased with the finished product and there are other organizations within the County that are pleased.

Ms. Virginia Dorkey, representing the Southern Fauquier Alliance, indicated that this is a group dedicated to preserving rural agriculture of Southern Fauquier County by promoting growth friendly to agriculture, tourism and recreation. She indicated that this plan does that and her group supports it. She thanked Mr. John Meadows and Mr. Jim Van Luven for coming to her group and doing a presentation.

Mr. Guerra remarked he visited the Southern Fauquier Alliance Group on three (3) occasions and on each occasion no more than six (6) couples were present.

Ms. Mary Root, Remington Community Partnership, advised that this organization was formed in January 2001. The following are their objectives: 1) to involve the citizens in the community in the promotion and enhancement of Main Street and its environment 2) the preservation of local history 3) and to promote tourism as a viable industry. She advised that this group has decided that the Comprehensive Plan as proposed will help them achieve these goals. The plan calls for a more traditional style of development and street design and it has an emphasis on connectivity with sensibly planned streets, trails and walkways and combined with wildlife buffers and corridors that are needed along the Rappahannock River. This plan will greatly enhance our sense of community and sense of place in history. In addition, she stated that we are grateful that the plan includes a newly proposed boundaries for the historic district.

Mr. Sam Butler, Midland, VA., advised that he has worked on the Committee off and on for the past two years. He thinks we have a good plan but one thing he opposes the removal of the Zeiger land on Route 29 that property owner had made a considerable investment in 1996 and the Board of Supervisors had put them into the plan and right now they are not in it and have got to be. They paid (a reimbursable) \$175,000 for sewer to come down to the property and the Board of Supervisors approved it in 1996. He thinks the county should take that investment under consideration and keep them in the Opal Service District. The Board of Supervisors told them to do it in 1996, now they are not in the plan and he is totally against that solution.

Ms. Kitty Smith, Marshall District. She complimented the Committee for its work of over two years. She thinks they should be very proud of what they have accomplished. However, she has found some deficiencies in what they have done. There are very few numbers in these plans, only one chart or table for each service district showing the number of acres for various categories. She does not know if that represents a total number of acres, if they have or have not been built on. Another item that is not there is the population and what sort of population are these land masses going to produce in the future. She thinks that it is important to us in planning for the County and does not see

how you can approve or disapprove without more facts and figures. Also, a definition of these land uses is needed. Rick Carr has told them in Marshall that in the Comprehensive Plan of today it tells us what low density, what medium density and what high density represents. But we do not necessarily have to stick to that. We can make up new ranges. It is important to have some definitions of these land uses. The definitions are not only missing for residential uses. They are also not there for commercial or institutional uses. Those are things you will need to consider and make a decision. Her last remark is that the Town of Remington seems to be proposed for an expansion. This seems like a fine idea if the Town of Remington wants it. But it is usually the Town who comes and requests a Boundary Adjustment and takes in more land, not the County saying we want you to be responsible for this land.

Myra Seaforest, Lee District, advised that she is not for or against the plan. She would like to commend the citizens for their hard work. She especially likes the emphasis in these plans on the quality of life in service districts. There is a real freshness and dedication to that in this plan that she applauds. With that in mind, there is one comment to make about the Bealeton Plan. She stated that she and her husband have a very small farm not far from Bealeton. That whole area has the Bealeton interchange hanging over us, we now see two schools sandwiched between the Bealeton Shopping Center and that interchange where we have some concerns about traffic safety and the increasing amount of traffic. She indicated concern about the schools being sandwiched between two heavily industrialized or commercialized parcels in the proposed rezoning of Marsh Run. She would like the Commission to consider removing this parcel from the plan. It seems to her that the nature of that land, its proximity to the two schools, and the traffic problems would suggest it to be more appropriate to include this parcel with the Liberty Village Settlement concept rather than a service district.

Barbara Zeiger. She advised that some of you knew my husband and some of you might not have. He passed away last month and she is here because this property was so important to him. She advised the Commission that her husband made a substantial investment at the County's request to bring the sewer lines out to Opal. There were promises made, their property was put into the service district. Mr. Biddings, the former head, of WSA said there would be no sewer line out to Opal if it had not been for her husband's financial and instrumental support. It makes sense to her that the service district should be where the utilities are. They are paying for tap fees but they are also paying a monthly usage fee to WSA and now you want to tell us we can not use the property. She stated that if you don't understand the legality of the promises made, the investment that was put up by her husband, perhaps you will understand the common decency of giving him rights for his investment and then trying to take them away. It just doesn't make sense it is not the decent or right thing to do.

Betty Dotson advised that she understands that you want to put the school adjacent to the property she owns which is adjacent to Liberty High School and Grace Miller Elementary School. She is opposed to this expanded use because they have already given property for the right of way that goes into the school. She thinks it is a little unfair to come back again and want to take the whole property. As it has been mentioned, with the congestion in the area I don't feel it's a good place for another school. Plus, the fact that since September 11th we have had many threats, would you want to have a threat to all three schools jammed up together. She asks that you re-consider this plan.

In that no one else wanted to speak, Mr. Robison closed the public hearing.

Mr. Guerra stated that he too was a member of this 25-member committee. However, he does know that we separated into groups of 6 or 7 and he doesn't recall that the full body was involved in the final decision. He has read the plan and listened to the comments. He has talked with John Meadows, but what he really was concerned about was hearing from the citizens. Unfortunately, he has not heard very much from the citizens. He hopes within the next thirty days to hear more.

He advised that "there are deficiencies in the plan. Do I think it's a bad plan? No. Do I think it's a good plan? That remains to be seen that only time will reveal. I too commend the members who did spend a lot of time on it. They showed a lot of effort and consideration. My concerns are that there still are some strong deficiencies. I know we have been told it is not a down zoning, but when you cut down a one acre, R-4 and cut it in half, there is no way you are going to put four houses on it.

We will meet for a work session and we are going to continue the public hearing on this plan. I have many more comments but I will wait for the proper time. I am not so sure as to the urgency of this need. This is a very important and we have to take our time."

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to postpone action for 30 days and keep the public hearing open.

Mr. Sinclair stated that he has more than just a passing interest in the rich history of Fauquier County. Fauquier began where the people of southern Fauquier live. He commended staff and the community for their sense of awareness for what they have down there. He is pleased that within this entire process that went on for 24 months that they did not lose their awareness that they have something very special down there.

Mr. Stone stated that he commended all who worked on the plan. The way you came about it is excellent and he wanted to thank all who spoke tonight for their comments, it shows a thoughtfulness in the body politic that any County could be proud of. The Commission will give it its best efforts to put this in a form that is satisfactory to send to the Board of Supervisors.

Ms. McCarty stated that she concurs with her fellow Commissioners and congratulates all involved.

The motion carried unanimously.

13. **SPECIAL EXCEPTIONS**

- a. **#SE02-S-21, #SE02-S-22, and #SE02-S-23 - Llewellyn J. Evans, Jr., owner, and Airlie Estates, applicant** - applicant wishes to obtain special exception approval under Category 23 of the Zoning Ordinance, which would allow for crossing of a floodplain; Category 29 which would allow for a waiver of the public street requirements; and Category 31, which would allow for a waiver of the public/central water requirement. The property contains 47.56 acres, is zoned Residential-1 (R-1), and is located on Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and #6995-15-2925-000)

Mrs. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

Bud Evans reiterated what was said that morning and that was after they have spent time with staff they want to make this project an asset to the community. That is their objective at the end of the day. They are trying to make this something we can all be proud of.

Mr. Sinclair asked Mr. Evans if they had filed a formal letter to staff requesting the 60-day postponement.

Mr. Evans said no that they had not filed it yet but would be doing that as soon as they returned to their office.

Peter Neal, Fairfield Classic Homes advised that he is working with Mr. Evans on this project. He handed out packages to give the Committee some general information on the type of homes they plan on building on Mr. Evans property. They are modeling this project on the equestrian community in Prince William County, Piedmont Riding Club, which is a 10 acre gated community.

Ken Kidder, Bowman Consulting Group, landscape architect, presented the Evans property plans. 24 lots places them at .5 dwelling units per acre. They are only utilizing 55% of their density. The majority of the lots exceed one acre in size, with the average being 1.5 acres. They are also providing stormwater management and BMP ponds at the entrance to the site. As far as the concerns, the Commission might have referencing private streets, they want to have a gated community. It will be gated from 9 p.m. to 6 a.m., the streets will be designed to public standards for fire safety reasons. They will provide remote access for fire rescue purposes. They have talked with the postal service and it does not have a problem with mail delivery because the community will not be gated during the daytime hours.

Ann Kehoe, 7000 Beacons Hill Road, the resident above Mr. Evans property. She is concerned about this special exception. She is also concerned because she will be looking at this subdivision. She has lived there for 25 years and have had the benefit of living in a rural area. She is concerned about the water issue and the impact on the community wells in the area. She stated that we all know we are in a middle of a drought in Fauquier County, which has been going on for 3 or 4 years, and the County is 25% below it's average rainfall. She is also concerned with the proposed projects access onto Route 605. It is a small access, which used to be her old driveway. She knows it well, and it is a dangerous entrance. She is also concerned about filling in the floodplain. We have ordinances that are in place to protect our environment and she thinks they should protect it.

Kitty Smith, Marshall District. She advised that she too is concerned about the filling in of the floodplain and questioned those impacts.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone action for 60 days and leave the public hearing open, at the request of the applicant.

The motion carried unanimously.

- b. **#SE02-CR-29 - William A. Hamp, III, owner, and Karen Coleman/Eastern Clearing Inc., applicant** - applicant wishes to obtain special exception approval under Category 20 of the Zoning Ordinance, which would allow for an experimental wastewater system. The property contains 10 acres, is zoned Industrial, and is located on the northeast side of Bealeton Road (Route 805), Cedar Run District. (PIN #6899-75-8606-000)

Mrs. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

In that no one spoke for or against the proposed ordinance, Mr. Robison closed the public hearing.

On motion made by Mr. Stone and seconded by Ms. McCarty, it was moved to postpone action for 30 days.

The motion carried unanimously.

- c. **#SE02-C-34 - Leland Road Investments, LLC, owner, and Stan Settle/Pulte Homes, applicant - White's Mill** - applicant wishes to obtain special exception approval under Category 23 of the Zoning Ordinance which would allow for the construction of a road over a floodplain to serve a portion of a proposed residential development. The property contains 151 acres, is zoned Residential-4 (R-4) and Residential-1 (R-1), and is located on the south side of Route 29 and the north side of Academy Road, Center District. (PIN's #6984-85-3809-000, #6984-96-1546-000 and #6984-98-0388-000)

Mrs. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

Joe Wiltse, representing owner and applicant, stated that the staff's review was right on target. They are planning on meeting with staff to discuss the outstanding issues next week and to modify the plan. In that there were no additional speakers.

Mr. Robison closed the public hearing.

On motion made by Mr. Robison and seconded by Mr. Guerra, it was moved to postpone action for 30 days, at the request of the applicant.

The motion carried unanimously.

14. **REZONING REQUESTS**

- a. **#RZ02-L-08 - Helen F. Helm, owner, and Richard M. Barb, LLC, applicant** - applicant wishes to rezone approximately 139.5 acres from Residential-1 (R-1) to Residential-2 (R-2). The property is located off James Madison Highway (Routes 15/29) and Business Routes 15/29 in the Remington Service District, Lee District. (PIN's #6888-13-8870-000 and #6888-15-4359-000)

Mrs. Cook reviewed her staff report and a copy of which is attached to and made a part of these official minutes.

Mr. Robison opened the public hearing.

Ben Tissue, representing the applicant Richard Barb, stated that he concurs with staff and the issues that were stated in the staff report. He would request a 60-day deferral to address comments of staff report. They are concerned with the environmental issues and that is why they did not cross the floodplain. He stated that he looks forward to working with staff to work out the differences.

Richard Barb, Cedar Run. Mr. Barb stated that he has identified an area within the service district and has found a plan that will work. They are working hard to stay out of the floodplain and want to work with staff to develop and modify this plan.

Kitty Smith, Marshall District. Ms. Smith stated she is on the CIP Committee and they have made a lot of recommendations that will be coming to the Planning Commission later in the year. She further stated that staff has information that at this time it costs the County between \$15,000 and \$20,000 per unit in infrastructure costs. If we are doing a re-zoning, she is not sure if the proffers are sufficient to support schools and the children coming out of the subdivisions. She stated that we need to look at the impacts and if the dollars are sufficient. She thinks it would be appropriate for applicants to proffer money for certain off-site recreation facilities. She knows we cannot turn down a re-zoning for lack of proffers, but it certainly could be one of the reasons.

On motion made by Mr. Guerra and seconded by Mr. Sinclair, it was moved to postpone action for 60 days and leave the public hearing open, at the request of the applicant.

The motion carried unanimously.

There being no further business, the meeting adjourned at 8:35 p.m.

A tape recording of the meeting is retained on file in the Department of Community Development, 40 Culpeper Street, Warrenton, Virginia, for a period of one year.